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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,294	01/09/2001	Shinya Kimura	70551/55532	6805
21874	7590	11/30/2004	EXAMINER	
EDWARDS & ANGELL, LLP P.O. BOX 55874 BOSTON, MA 02205			OSMAN, RAMY M	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/757,294

Applicant(s)

KIMURA ET AL.

Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☒ Claim(s) 1 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to amendment filed 8/31/2004 which supplemented the amendments filed 7/21/2004. Claims 1-24 are pending.

Claim Objections

2. Claims 1 and 14 objected to because of the following informalities: Proper indentation is needed to allow proper reading of the claim elements. Applicant is requested to rewrite claims 1 and 14 with the same indentation format of all other claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-24 are rejected under 35 U.S.C. 102(e) as being unpatentable over Agraharam et al (U.S. Patent No. 6,407,988).**

5. In reference to claims 1,5,9,13,17 and 21, Agraharam teaches a system, a server system, a method and a corresponding computer readable medium comprising a server and a plurality of networks that are separately connected to said server (figure 1);

wherein each said network includes:

at least one mobile terminal primarily assigned to said network as its home network that receives preselected data from said server and outputs the received preselected data, said at least one mobile terminal being movable from its primarily assigned network to another of said plurality of networks (Summary, column 2 lines 32-45 and column 4 lines 5-20, Agraharam discloses a mobile host movable between networks),

a communication device that sends said preselected data received from said server to mobile terminals located within a range of communication of said communication device wirelessly (column 3 lines 11-31 & 45-67 and column 4 lines 40-60, Agraharam discloses wirelessly roaming between networks), and

a detection device that detects any mobile terminals present within said range of communication of said communication device (column 2 lines 32-45 and column 4 lines 40-60, Agraharam discloses a detecting the mobile host within range of another network),

and wherein said server includes:

a communication circuit that communicates with the communication device and the detection device included in each said network (column 4 lines 15-25),

a storage circuit connected to said communication circuit, said storage circuit storing in the form of a management table for each said mobile terminal (i) information specifying the network in which the mobile terminal is currently located based on information received from said detection device and (ii) prestored information specifying the home network of the mobile terminal (column 4 lines 5-25 and column 7 lines 40-50, Agraharam discloses storing current network, previous network and home network of a mobile host, the circuit is inherent), and

a control circuit connected to said communication circuit and to said storage circuit, said control circuit being adapted to receive data and information indicating a specified one of said at least one mobile terminal as the destination of the data, and to control said communication circuit such that it sends said received data to the specified one of said at least one mobile terminal based on the information concerning the specified one of said at least one mobile terminal contained in said management table (column 4 lines 5-25 & 40-60, column 7 lines 40-50 and claims 1-4, Agraharam discloses registering mobile terminal and communicating with mobile host as the destination of data, the circuit is inherent).

6. In reference to claims 2,6,10,14,18 and 22, Agraharam teaches the system, server system, method and corresponding computer readable medium of claims 1,5,9,13,17 and 21 respectively, wherein said detection device includes:

a first transmission circuit that transmits inquiry information concerning whether any mobile terminal is located within the communication range of said communication device (column 2 lines 32-45 and column 4 lines 40-60, Agraharam discloses registering the mobile host as it roams between networks),

a receiving circuit that receives in-zone information output by mobile terminals present within the communication range of the communication device in response to said inquiry information (column 4 lines 5-25 & 40-60, column 7 lines 40-50 and claims 1-4, Agraharam discloses registering the mobile host to a new network), and

a second transmission circuit connected to said receiving circuit that transmits to said server, first identification information specifying the ones of said at least one mobile terminal that transmitted said in-zone information and second identification information specifying the

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network in which said detection device is included (column 4 lines 5-25 & 40-60, column 7 lines 40-50 and figures 1 & 2, Agraharam discloses registering mobile host information in the mobility server, the circuit is inherent),

wherein said storage circuit includes a circuit storing a management table including, for each mobile terminal identified by the first formation, said second identification information and said prestored information specifying the home network of each mobile terminal present within the communication device (column 4 lines 5-25 and column 7 lines 40-50, Agraharam discloses storing current network, previous network and home network of a mobile host),

wherein said data and information indicating a specified one of the at least one mobile terminal as the destination of the data is represented in the first identification information (column 3 lines 10-67 and column 4 lines 20-60, Agraharam discloses addressing a message to the IP address of a mobile host),

and wherein said control circuit includes:

a circuit that reads from said management table the second identification information corresponding to the first identification information (column 4 lines 20-60 and column 7 lines 10-62, Agraharam discloses reading from mobility table, the circuit is inherent),

a circuit that compares the read second identification information and the prestored information specifying said home network (column 3 lines 10-67, column 4 lines 20-60 and column 7 lines 10-62, Agraharam discloses comparing with the home network, the circuit is inherent), and

a circuit that controls said communication circuit so as to send said received data to the communication device in the network identified by the read second identification information

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when the read second identification information and the information specifying the home network differ from one another (column 3 lines 10-67, column 4 lines 20-60 and column 7 lines 10-62, Agraharam discloses identifying when the mobile host is out of the home network and sending the message to the identified network, the circuit is inherent).

7. In reference to claims 3,4,7,8,11,12,15,16,19,20,23 and 24, Agraharam teaches the system, server system, method and corresponding computer readable medium of claims 1,5,9,13,17 and 21 respectively, wherein said server further includes a connection circuit that connects to another network; and said server receives said data and the information indicating the specified one of the at least one mobile terminal as the destination of the data from a device connected to another network; and wherein said another network is the Internet (Abstract, column 1 lines 10-45 and column 4 lines 5-60, Agraharam discloses a host receiving a message from a corresponding host via Internet Protocol, the circuit is inherent).

Drawings

8. The drawings filed on 1/9/2001 are accepted.

Response to Amendment

9. Examiner acknowledges amendment filed 8/31/2004 which supplemented the amendments filed 7/21/2004, where applicant amended claims 1-24.

Response to Arguments


10. Applicant's arguments, see communication, filed 8/30/2004, with respect to the rejection(s) of claim(s) 1-24 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found reference Agraham et al (US Patent No 6,407,988).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
November 22, 2004


ARIO ETIENNE
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